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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

DECLARATION OF JORDAN R. JAFFE

**REDACTED VERSION OF DOCUMENT
SOUGHT TO BE SEALED**

Hearing:

Date: April 27, 2017

Time: 8:00 a.m.

Place: 8, 19th Floor

Judge: The Honorable William H. Alsup

1 I, Jordan R. Jaffe, hereby declares as follows.

2 1. I a member of the bar of the State of California and a partner with Quinn Emanuel
3 Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC (“Waymo”). I make this declaration
4 of personal, firsthand knowledge, and if called and sworn as a witness, I could and would testify
5 competently as follows.

6 2. Attached hereto as Exhibit 1 is Plaintiff’s List of Asserted Trade Secrets, submitted
7 pursuant to Cal. Civ. Code Proc. Section 2019.210.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of a Waymo document titled
9 [REDACTED].”

10 4. Attached hereto as Exhibit 3 is a true and correct copy of a Waymo document titled
11 [REDACTED].”

12 5. Attached hereto as Exhibit 4 is a true and correct copy of a Waymo spreadsheet
13 titled “[REDACTED].”

14 6. Attached hereto as Exhibit 5 is a true and correct copy of a Waymo spreadsheet
15 titled “[REDACTED].”

16 7. Attached hereto as Exhibit 6 is a true and correct copy of a Waymo document titled
17 “[REDACTED].”

18 8. Attached hereto as Exhibit 7 is a true and correct copy of a Waymo document titled
19 [REDACTED].”

20 9. Attached hereto as Exhibit 8 is a true and correct copy of a Waymo document titled
21 [REDACTED].”

22 10. Attached hereto as Exhibit 9 is a true and correct copy of a Waymo document titled
23 [REDACTED].”

24 11. Attached hereto as Exhibit 10 is a true and correct copy of a Waymo document
25 titled [REDACTED].”

26 12. Attached hereto as Exhibit 11 is a true and correct copy of a Waymo document
27 titled [REDACTED] Initial assessment.”

28

1 13. Attached hereto as Exhibit 12 is a true and correct copy of a Waymo document
2 titled "[REDACTED] Assembly Flowchart: Standard Operating Procedure."
3 14. Attached hereto as Exhibit 13 is a true and correct copy of a Waymo document
4 titled "[REDACTED] Testing Station."
5 15. Attached hereto as Exhibit 14 is a true and correct copy of a Waymo document
6 titled "Chauffeur Weekly Updates."
7 16. Attached hereto as Exhibit 15 is a true and correct copy of a Waymo document
8 titled "[REDACTED] tuning instructions."
9 17. Attached hereto as Exhibit 16 is a true and correct copy of a Waymo document
10 titled "[REDACTED] Intensity Calibration."
11 18. Attached hereto as Exhibit 17 is a true and correct copy of a Waymo document
12 titled "[REDACTED] Extrinsic Calibration."
13 19. Attached hereto as Exhibit 18 is a true and correct copy of a Waymo document
14 titled "[REDACTED]".
15 20. Attached hereto as Exhibit 19 is a true and correct copy of a Waymo document
16 titled "Die Wire Bonding."
17 21. Attached hereto as Exhibit 20 is a true and correct copy of a Waymo document
18 titled "External Vendors and Consultants List."
19 22. Attached hereto as Exhibit 21 is a true and correct copy of a Waymo document
20 titled "Automation Vendors."
21 23. Attached hereto as Exhibit 22 is a true and correct copy of a blog post titled "What
22 we're driving at," dated October 9, 2010, and downloaded from
23 <http://googleblog.blogspot.com/2010/10/what-were-driving-at.html> on March 8, 2017.
24 24. Attached hereto as Exhibit 23 is a true and correct copy of an article titled "Public
25 Records Suggest One Company is Dominating the Self-Driving Cars Race," dated December 13,
26 2016, and downloaded from [https://www.forbes.com/sites/alanohnsman/2016/12/13/googles-](https://www.forbes.com/sites/alanohnsman/2016/12/13/googles-spins-off-self-driving-car-unit-as-waymo/#16059f0433b9)
27 [spins-off-self-driving-car-unit-as-waymo/#16059f0433b9](https://www.forbes.com/sites/alanohnsman/2016/12/13/googles-spins-off-self-driving-car-unit-as-waymo/#16059f0433b9) on March 8, 2017.
28

1 25. Attached hereto as Exhibit 24 is a true and correct copy of an article titled “Google
2 Spins Off Self-Driving Car Unit As ‘Waymo,’” dated March 10, 2016, and downloaded from
3 <http://www.theatlantic.com/technology/archive/2016/03/beep-beep/473142/> on March 8, 2017.

4 26. Attached hereto as Exhibit 25 is a true and correct copy of an article titled “Google
5 Parent Company Spins Off Self-Driving Car Business,” dated December 13, 2016, and
6 downloaded from [http://www.nytimes.com/2016/12/13/technology/google-parent-company-spins-](http://www.nytimes.com/2016/12/13/technology/google-parent-company-spins-off-waymo-self-driving-car-business.html)
7 [off-waymo-self-driving-car-business.html](http://www.nytimes.com/2016/12/13/technology/google-parent-company-spins-off-waymo-self-driving-car-business.html) on March 8, 2017.

8 27. Attached hereto as Exhibit 26 is a true and correct copy of a blog post titled “Just
9 press go: designing a self-driving vehicle,” dated May 27, 2014, and downloaded from
10 <http://googleblog.blogspot.com/2014/05/just-press-go-designing-self-driving.html> on March 8,
11 2017.

12 28. Attached hereto as Exhibit 27 is a true and correct copy of an article titled “Google
13 made a self-driving car, and it doesn’t have a steering wheel,” dated May 27, 2014, and
14 downloaded from [http://www.theverge.com/2014/5/27/5756436/this-is-googles-own-self-driving-](http://www.theverge.com/2014/5/27/5756436/this-is-googles-own-self-driving-car)
15 [car](http://www.theverge.com/2014/5/27/5756436/this-is-googles-own-self-driving-car) on March 8, 2017.

16 29. Attached hereto as Exhibit 28 is a true and correct copy of an article titled
17 “Google’s Self-Driving Car Hits Roads Next Month – Without a Wheel or Pedals,” dated
18 December 23, 2014, and downloaded from [http://www.wired.com/2014/12/google-self-driving-](http://www.wired.com/2014/12/google-self-driving-car-prototype-2/)
19 [car-prototype-2/](http://www.wired.com/2014/12/google-self-driving-car-prototype-2/) on March 8, 2017.

20 30. Attached hereto as Exhibit 29 is a true and correct copy of an article titled
21 “Google’s adorable self-driving cars are now on public roads,” dated June 25, 2015, and
22 downloaded from [http://www.theverge.com/2015/6/25/8846617/google-self-driving-car-public-](http://www.theverge.com/2015/6/25/8846617/google-self-driving-car-public-roads-mountain-view)
23 [roads-mountain-view](http://www.theverge.com/2015/6/25/8846617/google-self-driving-car-public-roads-mountain-view) on March 8, 2017.

24 31. Attached hereto as Exhibit 30 is a true and correct copy of an article titled
25 “Google’s Self-Driving Car Prototypes Hit Public roads for the First Time,” dated June 25, 2015,
26 and downloaded from [http://www.nbcnews.com/tech/innovation/googles-self-driving-car-](http://www.nbcnews.com/tech/innovation/googles-self-driving-car-prototypes-hit-public-roads-first-time-n381941)
27 [prototypes-hit-public-roads-first-time-n381941](http://www.nbcnews.com/tech/innovation/googles-self-driving-car-prototypes-hit-public-roads-first-time-n381941) on March 8, 2017.

28

1 32. Attached hereto as Exhibit 31 is a true and correct copy of an article titled “Google
2 launches Waymo and moves closer to self-driving cars,” dated December 13, 2016, and
3 downloaded from <http://money.cnn.com/2016/12/13/technology/google-waymo/> on March 8,
4 2017.

5 33. Attached hereto as Exhibit 32 is a true and correct copy of an article titled “Google
6 Spin-off Waymo Set to Become Full-Fledged Automated Driving Provider,” dated January 8,
7 2017, and downloaded from [http://www.forbes.com/sites/samabuelsamid/2017/01/08/google-spin-](http://www.forbes.com/sites/samabuelsamid/2017/01/08/google-spin-off-waymo-set-to-become-full-fledged-automated-driving-provder/print/)
8 [off-waymo-set-to-become-full-fledged-automated-driving-provder/print/](http://www.forbes.com/sites/samabuelsamid/2017/01/08/google-spin-off-waymo-set-to-become-full-fledged-automated-driving-provder/print/) on March 8, 2017.

9 34. Attached hereto as Exhibit 33 is a true and correct copy of a blog post titled
10 “Reliving the past: how these data centers drive us three million miles each day,” dated December
11 13, 2016, and downloaded from [https://medium.com/waymo/reliving-the-past-how-these-data-](https://medium.com/waymo/reliving-the-past-how-these-data-centers-drive-us-three-million-miles-each-day-49a8695e8c75#.h6c9h62qh)
12 [centers-drive-us-three-million-miles-each-day-49a8695e8c75#.h6c9h62qh](https://medium.com/waymo/reliving-the-past-how-these-data-centers-drive-us-three-million-miles-each-day-49a8695e8c75#.h6c9h62qh) on March 8, 2017.

13 35. Attached hereto as Exhibit 34 is a true and correct copy of an article titled “Waymo
14 Reveals the Tech Inside Its Self-Driving Chrysler Minivans,” dated January 8, 2017, and
15 downloaded from <http://fortune.com/2017/01/08/waymo-detroit-future/> on March 8, 2017.

16 36. Attached hereto as Exhibit 35 is a true and correct copy an article titled “Travis
17 Kalanick on Uber’s bet on self-driving cars, ‘I can’t be wrong,’” dated August 18, 2016, and
18 downloaded from [http://www.businessinsider.com/travis-kalanick-interview-on-self-driving-cars-](http://www.businessinsider.com/travis-kalanick-interview-on-self-driving-cars-future-driver-jobs-2016-8)
19 [future-driver-jobs-2016-8](http://www.businessinsider.com/travis-kalanick-interview-on-self-driving-cars-future-driver-jobs-2016-8) on March 8, 2017.

20 37. Attached hereto as Exhibit 36 is a true and correct copy of an article titled “Uber
21 gutted Carnegie Mellon’s top robotics lab to build self-driving cars,” dated May 19, 2015, and
22 downloaded from [http://www.theverge.com/transportation/2015/5/19/8622831/uber-self-driving-](http://www.theverge.com/transportation/2015/5/19/8622831/uber-self-driving-cars-carnegie-mellon-poached)
23 [cars-carnegie-mellon-poached](http://www.theverge.com/transportation/2015/5/19/8622831/uber-self-driving-cars-carnegie-mellon-poached) on March 8, 2017.

24 38. Attached hereto as Exhibit 37 is a true and correct copy of an article titled “After a
25 year, Carnegie Mellon and Uber research initiative is stalled,” dated March 21, 2016, and
26 downloaded from <http://www.reuters.com/article/us-uber-tech-research-idUSKCN0WN0WR> on
27 March 8, 2017.

28

1 39. Attached hereto as Exhibit 38 is a true and correct copy of Velodyne's product
2 information page for the Velodyne HDL-64E, downloaded from [http://velodynelidar.com/hdl-](http://velodynelidar.com/hdl-64e.html)
3 [64e.html](http://velodynelidar.com/hdl-64e.html) on March 8, 2017.

4 40. Attached hereto as Exhibit 39 is a true and correct copy of an article titled "Uber set
5 to offer driverless rides here" dated August 19, 2016, and downloaded from [http://www.post-](http://www.post-gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-people-in-next-few-weeks/stories/201608180155)
6 [gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-](http://www.post-gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-people-in-next-few-weeks/stories/201608180155)
7 [people-in-next-few-weeks/stories/201608180155](http://www.post-gazette.com/business/tech-news/2016/08/18/Uber-to-use-self-driving-cars-in-Pittsburgh-to-haul-people-in-next-few-weeks/stories/201608180155) on March 8, 2017.

8 41. Attached hereto as Exhibit 40 is a true and correct copy of the "Whois Record" for
9 "280Systems.com," downloaded from <http://whois.domaintools.com/280systems.com> on March
10 10, 2017.

11 42. Attached hereto as Exhibit 41 is a true and correct copy of the Delaware "Division
12 of Corporations - Filing" record for "OttoMotto LLC" downloaded from
13 <http://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx> on March 10, 2017.

14 43. Attached hereto as Exhibit 42 is a true and correct copy of the Delaware "Division
15 of Corporations - Filing" record for "Otto Trucking LLC" downloaded from
16 <http://icis.corp.delaware.gov/Ecorp/EntitySearch/NameSearch.aspx> on March 10, 2017.

17 44. Attached hereto as Exhibit 43 is a true and correct copy an article titled "Uber's
18 First Self-Driving Fleet Arrives in Pittsburgh This Month," dated August 18, 2016, and
19 downloaded from [http://www.bloomberg.com/news/features/2016-08-18/uber-s-first-self-driving-](http://www.bloomberg.com/news/features/2016-08-18/uber-s-first-self-driving-fleet-arrives-in-pittsburgh-this-month-is06r7on)
20 [fleet-arrives-in-pittsburgh-this-month-is06r7on](http://www.bloomberg.com/news/features/2016-08-18/uber-s-first-self-driving-fleet-arrives-in-pittsburgh-this-month-is06r7on) on March 8, 2017.

21 45. Attached hereto as Exhibit 44 is a true and correct copy an article titled "Uber
22 Acquiring Otto Could Be the Lead Domino: Autonomous Vehicles to Spur M&A Activity," dated
23 August 24, 2016, and downloaded from
24 [http://www.forbes.com/sites/sarwantsingh/2016/08/24/uber-acquiring-otto-could-be-the-lead-](http://www.forbes.com/sites/sarwantsingh/2016/08/24/uber-acquiring-otto-could-be-the-lead-domino-autonomous-vehicles-to-spur-ma-activity/print/)
25 [domino-autonomous-vehicles-to-spur-ma-activity/print/](http://www.forbes.com/sites/sarwantsingh/2016/08/24/uber-acquiring-otto-could-be-the-lead-domino-autonomous-vehicles-to-spur-ma-activity/print/) on March 8, 2017.

26 46. Attached hereto as Exhibit 45 is a true and correct copy of blog post titled
27 "Rethinking transportation," dated August 18, 2016, and downloaded from
28 <http://newsroom.uber.com/rethinking-transportation/> on March 8, 2017.

1 47. Attached hereto as Exhibit 46 is a true and correct copy an article titled “The Truth
2 About Uber’s Otto Deal,” dated December 2, 2016, and downloaded from
3 <http://www.theinformation.com/the-truth-about-ubers-otto-deal> on February 21, 2017.

4 48. Attached hereto as Exhibit 47 is a true and correct copy an article titled “The man
5 who invented the first self-driving motorcycle is leading Uber into the future,” dated December
6 13, 2016, and downloaded from [http://www.businessinsider.com/anthony-levandowski-uber-](http://www.businessinsider.com/anthony-levandowski-uber-interview-2016-12)
7 [interview-2016-12](http://www.businessinsider.com/anthony-levandowski-uber-interview-2016-12) on March 8, 2017.

8 49. Exhibit 48 has been intentionally left blank.

9 50. Exhibit 49 has been intentionally left blank.

10 51. Exhibit 50 has been intentionally left blank.

11 52. Attached hereto as Exhibit 51 is a true and correct copy of letter from Margaret A.
12 McLetchie to the Nevada Governor’s Office of Economic Development and the Department of
13 Motor Vehicles, subject “PUBLIC RECORDS REQUEST – IMMEDIATE ACTION
14 REQUIRED,” dated February 3, 2017.

15 53. Attached hereto as Exhibit 52 is a true and correct copy of a document entitled
16 “Autonomous Technology Certification Facility License,” dated September 15, 2016.

17 54. Attached hereto as Exhibit 53 is a true and correct copy an article titled “Meet the
18 Former Google Engineer Who Allegedly Stole Trade Secrets For Uber,” dated February 23, 2017,
19 and downloaded from [https://www.forbes.com/sites/briansolomon/2017/02/23/meet-the-former-](https://www.forbes.com/sites/briansolomon/2017/02/23/meet-the-former-google-engineer-who-allegedly-stole-secrets-for-uber-anthony-levandowski/#352876d5c5ea)
20 [google-engineer-who-allegedly-stole-secrets-for-uber-anthony-levandowski/#352876d5c5ea](https://www.forbes.com/sites/briansolomon/2017/02/23/meet-the-former-google-engineer-who-allegedly-stole-secrets-for-uber-anthony-levandowski/#352876d5c5ea) on
21 March 10, 2017.

22 55. Attached hereto as Exhibit 54 is a true and correct copy an article titled “Tesla’s
23 Getting More Competition in Self-Driving Cars,” dated February 23, 2017, and downloaded from
24 <http://www.barrons.com/articles/teslas-getting-more-competition-in-self-driving-cars-1487022122>
25 on March 10, 2017.

26 56. Attached hereto as Exhibit 55 is a true and correct copy an article titled “Apple
27 confirms it is working on self-driving cars,” dated December 4, 2016, and downloaded from
28

1 [https://www.theguardian.com/technology/2016/dec/04/apple-confirms-it-is-working-on-self-](https://www.theguardian.com/technology/2016/dec/04/apple-confirms-it-is-working-on-self-driving-cars)
2 [driving-cars](https://www.theguardian.com/technology/2016/dec/04/apple-confirms-it-is-working-on-self-driving-cars) on March 10, 2017.

3 57. Attached hereto as Exhibit 56 is a true and correct copy an article titled “Taking a
4 ride in Nvidia’s self-driving car,” dated January 7, 2017, and downloaded from
5 <https://arstechnica.com/cars/2017/01/nvidia-audi-bb8-self-driving-car/> on March 10, 2017.

6 58. Attached hereto as Exhibit 57 is a true and correct copy of a February 23, 2017,
7 Bloomberg Technology article titled “Alphabet’s Waymo Alleges Uber Stole Self-Driving
8 Secrets” by Mark Bergen and Kartikay Mehrotra, available at
9 [https://www.bloomberg.com/news/articles/2017-02-23/alphabet-s-waymo-sues-uber-for-stealing-](https://www.bloomberg.com/news/articles/2017-02-23/alphabet-s-waymo-sues-uber-for-stealing-self-driving-patents)
10 [self-driving-patents](https://www.bloomberg.com/news/articles/2017-02-23/alphabet-s-waymo-sues-uber-for-stealing-self-driving-patents).

11 59. Attached hereto as Exhibit 58 is a true and correct copy of a February 24, 2017,
12 Business Insider article titled “Uber denies Google’s claims of stolen self-driving tech” by Steve
13 Kovach, available at [http://www.businessinsider.com/uber-shoots-down-googles-claims-of-stolen-](http://www.businessinsider.com/uber-shoots-down-googles-claims-of-stolen-self-driving-tech-2017-2)
14 [self-driving-tech-2017-2](http://www.businessinsider.com/uber-shoots-down-googles-claims-of-stolen-self-driving-tech-2017-2).

15 60. Attached hereto as Exhibit 59 is a true and correct copy of an April 8, 2013, order
16 in *GSI Tech., Inc. v. United Memories, Inc.*, Case No. 5:13-cv-01081-PSG (N.D. Cal. filed March
17 8, 2013).

18 61. Attached hereto as Exhibit 60 is a true and correct copy of Plaintiff NobelBiz,
19 Inc.’s First Set of Requests for Production of Documents and Other Tangible Things to Defendant
20 Jeff L. Wesson, filed as Exhibit A to the Declaration of Mark A. Konkel. These expedited
21 discovery requests were at issue in *NobelBiz Inc. v. Wesson*, No. 14cv0832 W(JLB), 2014 WL
22 1588715 (S.D. Cal. Apr. 18, 2014).

23 I declare under penalty of perjury under the laws of the State of California that the
24 foregoing is true and correct.

25 DATED: March 10, 2017

26 /s Jordan R. Jaffe
Jordan R. Jaffe